coast and whose breadth and baseline are recognized by the United States.

§ 2.05–10 Territorial sea baseline.

"Territorial Sea Baseline" means the delimitation of the shoreward extent of the territorial seas of the United States drawn in accordance with principles, as recognized by the United States, of the Convention on the Territorial Sea and the Contiguous Zone, 15 U.S.T. 1606. Charts depicting the territorial sea baseline are available for examination in accordance with § 1.10–5(b) of this chapter.

§ 2.05–15 Contiguous zone.

"Contiguous Zone" means the belt of high seas, 9 nautical miles wide, that is adjacent to and seaward of the territorial seas of the United States and that was declared to exist in Department of State Public Notice 358 of June 1, 1972, 37 FR 11906.

§ 2.05–20 Internal waters and inland waters.

(a) "Internal waters" and, except as provided in paragraph (b) of this section, "inland waters" mean:

(1) With respect to the United States, the waters shoreward of the territorial sea baseline.

(2) With respect to any foreign country, the waters shoreward of the baseline of its territorial sea, as recognized by the United States.

(b) "Inland waters", as used in 33 U.S.C. Chapter 3, means the waters shoreward of the lines described in Part 82 of this chapter, except the Great Lakes and their connecting and tributary waters as far east as Montreal, the waters of the Mississippi River between its source and the Huey P. Long Bridge and all of its tributaries emptying thereinto and their tributaries, that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway, and the Red River of the North.

§ 2.05–25 Navigable waters of the United States; Navigable Waters; Territorial Waters.[2]

(a) Except as provided in paragraph (b) of this section, "navigable waters of the United States," "navigable waters," and "territorial waters" mean, except where Congress has designated them not to be navigable waters of the United States:

(1) Territorial seas of the United States;

(2) Internal waters of the United States that are subject to tidal influence; and

(3) Internal waters of the United States not subject to tidal influence that:

(i) Are or have been used, or are or have been susceptible for use, by themselves or in connection with other waters, as highways for substantial interstate or foreign commerce, notwithstanding natural or man-made obstructions that require portage, or

(ii) A governmental or non-governmental body, having expertise in waterway improvement, determines to be capable of improvement at a reasonable cost (a favorable balance between cost and need) to provide, by themselves or in connection with other waters, highways for substantial interstate or foreign commerce.

(b) "Navigable waters of the United States" and "navigable waters," as used in sections 311 and 312 of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1321 and 1322, mean:

(1) Navigable waters of the United States as defined in paragraph (a) of this section and all waters within the United States tributary thereto; and

(2) Other waters over which the Federal Government may exercise Constitutional authority.

§ 2.05–30 Waters subject to the jurisdiction of the United States; waters over which the United States has jurisdiction.[2]

"Waters subject to the jurisdiction of the United States" and "waters over which the United States has jurisdiction" mean:

(a) Navigable waters of the United States;

(b) Other waters that are located on lands, owned by the United States, with respect to which jurisdiction has been accepted in accordance with 33 U.S.C. 733 by the authorized federal officer having custody, control, or other authority over them;

(c) Other waters that are located on lands, owned by the United States, with respect to which the United States retains concurrent or exclusive jurisdiction from the date that the State in which the lands are located entered the union; and

(d) waters within the territories and possessions of the United States and the Trust Territories of the Pacific Islands.[2]

Subpart 2.10—Availability of Jurisdictional Decisions

§ 2.10–1 Maintenance of decisions.

Each Coast Guard district maintains:

(a) A list of waters within the district which the Coast Guard has decided to be navigable waters of the United States for the purposes of its jurisdiction, and

(b) Charts reflecting Coast Guard decisions as to the location of the territorial sea baseline for the purposes of Coast Guard jurisdiction, if the district includes portions of the territorial seas.

§ 2.10–5 Availability of lists and charts.

The lists and charts referred to in § 2.10–1 of this chapter are available to the public and may be inspected or obtained in accordance with § 1.10–5(b) of this chapter.

[2] In various laws administered and enforced by the Coast Guard, the terms "State" and "United States" are defined to include some or all of the territories and possessions of the United States. The definitions in sections 2.05–25 and 2.05–30 should be considered as supplementary to these statutory definitions and not as interpretive of them.

§ 2.10–10 Decisions subject to change or modification.

The decisions referred to in § 2.10–1 of this subpart are subject to change or modification. Inquiries concerning the status of specific waters, for the purposes of Coast Guard jurisdiction, should be directed to the District Commander of the district in which the waters are located.

2. In Part 100, § 100.05(b) is deleted and reserved.

§ 100.05 Definitions of terms used in this part.

* * * * *

(b) [Reserved]

* * * * *

(14 U.S.C. 633; 80 Stat. 931 (49 U.S.C. 1655 (b)); 49 CFR 1.4(b), 1.46(b).)

Effective date: These amendments will become effective on November 24, 1975.

Dated: October 14, 1975.

O. W. Siler,
Admiral, U.S. Coast Guard
Commandant.

[FR Doc.75-28428 Filed 10-21-75;8:45 am]

[CGD 73-162]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Cheesequake Creek, N.J.

This amendment changes the regulations for the New York and Long Branch railroad bridge across Cheesequake Creek to allow closed periods during the late fall, winter, and early spring months when vessel traffic is light. This amendment was circulated as a public notice dated August 15, 1973, by the Commander, Third Coast Guard District, and was published in the Federal Register as a notice of proposed rule making (CGD 73-162p) on August 10, 1973, (38 FR 21650). Seventy comments were received which generally objected to the proposed change. The Coast Guard then held meetings with the railroad and marine interests. As a result of these meetings, the marine interests and the railroad agreed to closed periods that would be less restrictive to navigation. The Coast Guard will continue to monitor this matter and if additional changes in these regulations are indicated, they may be made at that time.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by adding a new subparagraph (6) to paragraph (j) of § 117.215 to read as follows:

§ 117.215 Navigable streams flowing into Raritan Bay (except Raritan River and Arthur Kill), the Shrewsbury River and its tributaries, and all inlets on the Atlantic Ocean including their tributaries and canals between Sandy Hook and Bay Head, N.J.; bridges.

* * * * *

(j) * * *

(6) New York and Long Branch railroad bridge across Cheesequake Creek.

The draw shall open on signal except at the following times the draw shall open on signal only if at least four hours notice is given:

(i) 6 p.m. to 6 a.m. from January 1 through March 31.

(ii) 10 p.m. to 6 a.m. Monday through Thursday and midnight Sunday to 6 a.m. Monday from April 1 through April 30 and November 1 through November 30.

(iii) 10 p.m. to 6 a.m. from December 1 through December 31.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Effective date. This revision shall become effective on November 24, 1975.

Dated: October 15, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.75-28429 Filed 10-21-75;8:45 am]

[CGD 74-32]

PART 157—RULES AND REGULATIONS FOR PROTECTION OF THE MARINE ENVIRONMENT RELATING TO TANK VESSELS CARRYING OIL IN DOMESTIC TRADE

Tank Vessels Carrying Oil in Domestic Trade

Correction

In FR Doc. 75-27230 appearing at page 48280 of the issue for Tuesday, October 14, 1975, make the following changes:

1. In the second line of § 157.09(b), page 48284, "voltage" should read "voyage".

2. In paragraph 3, *Hypothetical Outflow of Oil*, to Appendix A, page 48286, in the third line the symbol for bottom damage, now reading "O_3", should read "O_4".

3. In the formulas for K_1, Z_1, and S_1, appearing in Appendix A, page 48286, the term from which the fraction is subtracted, which now in each case reads "*1*", should read "*1.*"

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 438-8]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Florida: Approval of Plan Revisions

On March 27, 1975 (40 FR 13521), the Agency announced the receipt of two revisions in the Florida plan. These consisted of changes in the plan's limits on sulfur dioxide emissions from existing sulfur recovery plants and sulfuric acid plants. They were adopted by the State after notice and public hearing in conformity with 40 CFR 51.4 and were submitted for the Agency's approval on February 12, 1975, along with other plan revisions. Copies of the two revisions were made available for public inspection at the Agency's Region IV headquarters in Atlanta, Georgia and at the offices of the Florida Department of Environmental Regulation (formerly Department of Pollution Control) throughout the State. Written comments were solicited from the public, but none were received.

Under the Florida implementation plan's original regulations for sulfur recovery plants, existing facilities were allowed to emit no more than 0.004 pounds of SO_2 for each pound of sulfur recovered from an oil well; this limit, to be achieved by July 1, 1975, corresponded to a sulfur recovery efficiency of 99.8 percent. Under the newly adopted regulation, existing plants are subject to an immediately effective limit of 0.08 pounds of sulfur dioxide per pound of sulfur recovered; this corresponds to a recovery efficiency of 96 percent. All of the sources affected by the revised regulation are now operating in the Jay oil field (Santa Rosa County).

The second of these revisions resulted from a petition of the Occidental Chemical Company, which operates two sulfuric acid plants in White Springs (Hamilton County). Under the regulations of the approved Florida plan, existing H_2SO_4 plants are required to achieve, by July 1, 1975, an emission limit of 10 pounds of SO_2 per ton of 100 percent sulfuric acid produced. This limit was based on the degree of SO_2 emission reduction needed to attain standards in the model County used in developing the plan's original control strategy for sulfur dioxide, that is, in Hillsborough County, site of the highest measured concentrations of the pollutant. The State now takes the position that this degree of control is not needed in Hamilton County, where there is only one other significant source of SO_2 emissions, and where the original emission limit might produce only a negligible improvement in air quality if achieved. Accordingly, the emission limit for sulfuric acid plants in the Florida portion of the Jacksonville, Florida-Brunswick, Georgia Interstate Air Quality Control Region is being relaxed to 29#SO_2/ton 100 percent H_2SO_4. (The plants of Occidental Chemical Company presently emit about 35#/ton, as opposed to 42#/ton emitted in January, 1972.

The Agency has thoroughly reviewed these plan revisions in the light of the revised sulfur dioxide control strategy and supporting air quality data and mathematical modeling results submitted with them. A written summary of the findings of this review may be examined at the following locations:

Air & Hazardous Materials Division, Region IV, Environmental Protection Agency, 1421 Peachtree Street NE., Atlanta, Georgia 30309.

Freedom of Information Center, Environmental Protection Agency, 232 Waterside Mall West Tower, 401 M Street SW., Washington, D.C. 20460.

The Administrator has determined that the two Florida plan revisions described above meet the requirements of section 110 of the Clean Air Act and the implementing regulations of 40 CFR Part 51. Accordingly, they are hereby approved.

"This action is effective (upon date of publication)." The Administrator finds that good cause exists for making his approval immediately effective since these revisions are already in effect under Florida law, and the Agency's action places no additional burden on affected facilities.

(Section 110(a) of the Clean Air Act (42 U.S.C. 1957c-5(a)))

Dated: October 14, 1975.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

In § 52.520, paragraph (c) is amended to read as follows:

§ 52.520 Identification of plan.

* * * * *

(c) Supplemental information was submitted by the Department of Pollution Control on April 10 and May 5, 1972, on June 1, August 6, and September 25, 1973, on February 26, May 30, September 25, and November 21, 1974, and on January 9, February 12 (revised limits on SO_2 emissions from sulfur recovery and sulfuric acid plants), March 31, April 9 and 15, 1975.

[FR Doc.75-28366 Filed 10-21-75;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

[FPMR Amendment A-22]

PART 101-6—MISCELLANEOUS REGULATIONS

Acquisition of Real Property

The Office of Management and Budget (OMB) has revised OMB Circular No. A-11. Federal agencies are no longer required to obtain a statement from the General Services Administration concerning the availability of other Federal property when their budget estimates include funds of more than $100,000 for the acquisition of real and related personal property. Therefore, Subpart 101-6.3 is deleted.

The table of contents for Part 101-6 is amended to delete Subpart 101-6.3 and to reserve the subpart as follows:

Subparts 101-6.3—101-6.48 [Reserved]

Part 101-6 is amended to delete the provisions of Subpart 101-6.3 and to reserve the subpart as follows:

Subparts 101-6.3—101-6.48 [Reserved]

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective on October 22, 1975.

Dated: October 10, 1975.

ARTHUR F. SIMPSON,
Administrator of General Services.

[FR Doc.75-28373 Filed 10-21-75;8:45 am]

[FPMR Amendment E-171]

PART 101–32—GOVERNMENT-WIDE AUTOMATED DATA MANAGEMENT SERVICES

Use of Excess ADPE on Cost-Reimbursement Type Contracts and Project Grants

This amendment clarifies, redefines, redesignates, updates, and provides new policies on the use of excess automatic data processing equipment (ADPE) by cost-reimbursement type contractors and project grantees. These policies conform in principle with policies prescribed in 41 CFR 101–43.320.

The table of contents for Part 101–32 is amended by adding the following entries:

101–32.301–9a	Mailing list.
101–32.301–17	Condition codes.
101–32.310	Use of excess ADPE on cost-reimbursement type contracts and project grants.

Subpart 101–32.3—Reutilization of Automatic Data Processing Equipment and Supplies

1. Section 101–32.301–9 is revised to read as follows:

§ 101–32.301–9 Availability list.

ADPE "Availability List" is a listing of excess and exchange/sale ADPE available for reutilization by Federal agencies.

2. Section 101–32.301–9a and 101–32.301–17 are added as follows:

§ 101–32.301–9a Mailing list.

The "mailing list" is an automated address list maintained by GSA for dissemination of the ADPE Availability List. Federal agencies (as defined in § 101–32.301–2) that are eligible for transfer of excess ADPE may request placement on the mailing list.

* * * * *

§ 101–32.301–17 Condition codes.

The following list of meanings of condition codes shall be used to define the condition of all ADPE reported to GSA in accordance with § 101–32.4702:

N–1: New or unused property in excellent condition. Ready for use and identical or interchangeable with new items delivered by a manufacturer or normal source of supply.

N–2: New or unused property in good condition. Does not quite qualify for N–1 (because it is slightly shopworn, soiled, or similar), but its condition does not impair utility.

N–3: New or unused property in fair condition. Soiled, shopworn, rusted, deteriorated, or damaged to the extent that utility is slightly impaired.

N–4: New or unused property so badly broken, soiled, rusted, mildewed, deteriorated, damaged, or broken that its condition is poor and its utility is seriously impaired.

E–1: Used property but repaired or renovated and in excellent condition.

E–2: Used property which has been repaired or renovated and, while still in good usable condition, has become worn from further use and cannot qualify for excellent condition.

E–3: Used property which has been repaired or renovated but has deteriorated since reconditioning and is in only fair condition. Further repairs or renovation is required or expected to be needed in the near future.

E–4: Used property which has been repaired or renovated and is in poor condition from serious deterioration such as from major wear and tear, corrosion, exposure to weather, or mildew.

O–1: Property which has been slightly or moderately used, no repairs are required, and property is still in excellent condition.

O–2: Used property, more worn than O–1 but is still in good condition, with considerable use left before any important repairs would be required.

O–3: Used property which is still in fair condition and usable without repairs; however, is somewhat deteriorated with some parts (or portion) worn enough to require replacement.

O–4: Used property which is still usable without repairs but is in poor condition and is undependable or uneconomical in use. Parts are badly worn and deteriorated.

R–1: Used property, still in excellent condition, but minor repairs are required. Estimated repairs would cost no more than 10 percent of original acquisition cost.

R–2: Used property in good condition but considerable repairs are required. Estimated cost of repairs would be from 11 percent to 25 percent of original acquisition cost.

R–3: Used property, in fair condition, but extensive repairs are required. Estimated repair costs would be from 26 percent to 40 percent of original acquisition cost.

R–4: Used property in poor condition and requiring major repairs. Badly worn, and would still be in doubtful condition or dependability and uneconomical in use if repaired. Estimated repair cost is between 41 percent and 65 percent of original acquisition cost.

X: Salvage. Property having some value in excess of basic material content. Repairs or rehabilitation is estimated to cost more than 65 percent of original acquisition cost.

S: Scrap. Material that has no value except for its basic material content.

3. Sections 101–32.303–1 and 101–32.304 (b) are revised to change the GSA correspondence symbol from CDE to CDP as follows:

§ 101–32.303–1 Designation of agency ADPE point of contact.

Each agency head shall designate an agency ADPE point of contact to promote the maximum reutilization of excess ADPE, to provide proper coordination on an interagency basis, and to ensure that excess ADPE is acquired in accordance with agency plans and program efforts. The name, address, and phone number of this individual shall be submitted promptly after designation to the General Services Administration (CDP), Washington, DC 20405.

§ 101–32.304 Availability list.

* * * * *

(b) Requests for additions, changes, and deletions to the mailing list for the Availability List shall be made to the General Services Administration (CDP), Washington, DC 20405. Agencies sponsoring contractors or grantees, when forwarding requests for distribution of the Availability List to such contractors or grantees, shall include the appropriate grant or contract number.

* * * * *

4. Section 101–32.306 is amended by revising paragraphs (a), (d), and (j) and by adding new paragraph (h–1) as follows:

§ 101–32.306 Requests for transfer of excess ADPE or exchange/sale ADPE.

* * * * *

(a) The SF 122 (illustrated at § 101–32.4901–122) shall provide the name of an agency point of contact and telephone number and shall be signed by an authorized official of the requesting agency when the ADPE is to be used by the agency or by a contractor or grantee of the agency.

* * * * *

(d) The original and four copies of the SF 122 shall be submitted for approval to the General Services Administration (CDP), Washington, DC 20405.

* * * * *

(h–1) When the SF 122 requests shipment of equipment outside of the 48 conterminous States, the requesting agency may be required either to arrange shipment from the holding site or to arrange shipment from a specified point of debarkation within the 48 conterminous States.

(j) When the approved SF 122 indicates the ADPE is to be picked up by the requesting agency, the shipment shall be accomplished within 20 workdays from the time the requesting agency is notified by the holding agency that the shipment is ready. The holding agency shall inform GSA when the ADPE is not picked up within the allotted time.

(j) The holding agency shall ship or deliver the excess ADPE within 20 days after receipt of the SF 122 or receipt of complete shipping instructions as provided in § 101–32.306(g), whichever is later. If for any reason the holding agency is unable to ship or deliver within this established time frame, the holding agency shall promptly inform the requesting agency of the reason for delay and provide a revised shipping or delivery date.

* * * * *

5. Section 101–32.307(a) is revised to read as follows:

§ 101–32.307 Care and handling of excess or exchange/sale ADPE.

(a) The reporting or holding agency shall be responsible for and bear the costs of care and handling of excess or exchange/sale ADPE pending disposition. Only direct costs incurred incident to a transfer (such as packing, loading, and transporting) shall be borne by the requesting agency when billed by the holding agency. Overhead or administrative costs, equipment disconnect charges, and other costs not directly related to and solely resulting from requests for transfer shall not be included. The requesting agency shall be responsible for any movement or temporary storage required subsequent to the date transfer is approved; transportation of ADPE to the requesting agency; and rental costs, if any, for excess leased ADPE over the allowable free rental period in the applicable contract. Any question or controversy regarding responsibility for cost shall be referred for resolution to the General Services

Administration (CDP), Washington, DC 20405. The holding agency is not required to maintain excess leased ADPE in a leased status when the reporting requirements of § 101-32.4702 have been satisfied.

* * * * *

6. Section 101-32.309-2 is revised to change the GSA correspondence symbol from CDE to CXM as follows:

§ 101-32.309-2 Reporting ADP Fund equipment excess.

Ninety calendar days before the anticipated release date of ADP Fund equipment, the leasing agency shall notify the General Services Administration (CXM), Washington, DC 20405, by letter, of its intention to discontinue the lease. An SF 120, Report of Excess Personal Property, clearly marked with the words "ADP Fund" shall be enclosed.

7. Sections 101-32.309-3 and 101-32.309-4(a) are revised to change the GSA correspondence symbol from CDE to CDP as follows:

§ 101-32.309-3 Transfer of ADP Fund equipment.

In followup to a telephone reservation of ADP Fund equipment, the requesting agency shall submit a commitment letter to the General Services Administration (CDP), Washington, DC 20405. This letter shall include the term and the dollar symbol. GSA then will prepare the SF cussed), the agency point of contact (with address and telephone number), the shipping address and instructions, and the applicable agency appropriation symbol. GSA will then prepare the SF 122, Transfer Order, Excess Personal Property, to initiate equipment shipment and will submit the lease agreement and the approved SF 122 to the requesting agency's designated official.

§ 101-32.309-4 Guarantee of ADP Fund equipment.

(a) Agencies participating in the leasing program pay charges for transportation of the equipment to the designated site(s); arrange for and pay the cost of any refurbishment needed to bring the equipment up to maintenance standards; and forward to the General Services Administration (CDP), Washington, DC 20405, a statement of the costs incurred for inspection and the estimate of the cost of refurbishment.

8. Section 101-32.310 is added as follows:

§ 101-32.310 Use of excess ADPE on cost-reimbursement type contracts and project grants.

(a) The use of excess ADPE shall be considered by Federal agencies in their cost-reimbursement type contracts and project grants which are made pursuant to programs established by law and for which funds are appropriated by the Congress. For the purposes of this section, the term "project grants" refers to grants made to specific institutions and organizations for a specific purpose with established costs and termination dates.

(b) The contract or grant shall include adequate safeguards and assurances relative to authorized use, maintenance, and return to Government custody of Government-furnished property.

(c) Excess ADPE may be furnished to a contractor or project grantee in accordance with § 101-32.306, provided a determination is made by the contracting or sponsoring Federal agency that the acquisition will result in a reduction of cost to the Government or in enhancement of the product or the benefit from the contract or grant.

(d) When competing Federal requests are made on an item of excess ADPE, GSA will give the lowest priority to a Federal agency request which vests title to the equipment in the contractor or grantee.

(e) Federal grantor agencies shall make excess ADPE available only to project grantees, with authorization for such grantees to use the property made a part of the grant document. To ensure that all such equipment transferred is for the specific purpose authorized by the grantor agency, all SF 122's submitted to GSA shall be signed by the agency accountable officer; shall affirm that the transfer is requested for use by a project grantee in accordance with this subpart; and shall state the name of the project grantee, the grant number, the scheduled date of grant termination, and the purpose of the transfer.

In addition, Federal grantor agencies shall develop and maintain an effective system for the prevention or detection of situations involving the nonuse, improper use, or the unauthorized disposal or destruction of excess personal property furnished to grantees. This responsibility shall include compliance reviews, field inspections, and other enforcement procedures to monitor such property.

(f) Federal grantor agencies normally shall limit the amount of excess property (in terms of Government acquisition cost) loaned to a grantee to the dollar value of the grant. Any higher percentage of excess property loaned to a grantee must be approved by a level in the Federal agency higher than the project officer administering the grant. Agencies shall consider all factors in determining whether to approve or disapprove transfers to grantees of excess property above the dollar value of the grant. Further limits on the value of excess property, including property available through material grants, may be included in the basic grant documents, provided such limits are justified.

(g) Federal grantor agencies shall include the following information in their grant recordkeeping systems: the number of grantees using excess property; total dollar value of property loaned to all grantees; dollar value of property on loan to each grantee; acquisition cost of loaned excess items for each grant; dollar value of each grant; percentage of acquisition cost of loaned excess property to the dollar value of each grant; and date(s) of grant termination. Where an agency has statutory authority to vest title in the grantee, comparable records shall be maintained, including records which will indicate the dollar value of property vested in any grantee.

(h) The system of accountability for property acquired from excess will be in accordance with contractual and agency procedures. Records will be subject to audit by an internal audit group of the Federal contracting or granting agency. Records of such agencies shall be made available upon request to the General Accounting Office.

(i) Except when specifically authorized by statute to vest title, a Federal agency, upon termination of a contract or grant in whole or in part, shall reassign Government-furnished ADPE, as far as practicable, to other activities, contractors, and/or grantees within that Federal agency. If no reassignment is made, and if the property is not disposed of pursuant to applicable regulations or contract provisions relating to contractor inventory, it shall be reported as excess to GSA in accordance with § 101-32.4702 and held by the contractor or grantee in accordance with § 101-32.308. Agencies shall publish procedures which clearly delineate the obligations of their contractors and grantees with respect to the use and return to Government custody of property acquired from excess sources.

Subpart 101-32.47—Reports

Section 101-32.4702 is amended to read as follows:

§ 101-32.4702 Reporting excess or exchange/sale ADPE.

Excess ADPE or exchange/sale ADPE shall be reported on an original and four copies of SF 120, Report of Excess Personal Property (illustrated at § 101-32.4901-120), and, when necessary, SF 120A, Continuation Sheet (Report of Excess Personal Property). The SF 120 shall be submitted to the General Services Administration (CDP), Washington, DC 20405, by the holding agency at least 90 calendar days before the anticipated release date as determined by the holding agency. This report is exempt from reports control in accordance with § 101-11.1102-1(b). ADPE in the hands of Government contractors may be reported on an appropriate contractor inventory appended to an SF 120 provided the reporting format includes an adequate commercial description and other appropriate data required by § 101-32.4702(a), below.

(a) The SF 120 shall include the appropriate condition code designation as defined in § 101-32.301-17 and shall contain the manufacturer's name, equipment type and model number, and full description of the ADPE to determine whether the ADPE may satisfy another agency's requirement. Since ADPE suppliers have adopted no uniform method of identifying certain ADPE systems, components, features, cables, or other devices such as terminators and junction boxes used with the equipment, the complete nomenclature for such equipment as used by the supplier shall be identified and reported on the SF 120. Parts or de-

vices shall not be removed subsequent to reporting the ADPE to GSA as excess. If any part or device has been removed from the ADPE, a statement identifying those parts or devices shall be made on the SF 120. In addition, the status of each individual component and feature shall be shown to indicate whether it is leased, purchased, or leased with option to purchase. If the equipment is leased or leased with option to purchase, the fair value shall be shown on the SF 120. The fair value is the difference between original acquisition cost and accrued purchase option credits. Government-owned and -leased ADPE shall not be reported on the same SF 120.

* * * * *

(c) The words "Exchange/Sale Property" shall be displayed prominently on the original and four copies of the SF 120 when reporting ADPE that is to be replaced pursuant to exchange/sale provisions of Part 101-46. The acquisition cost and the reimbursement required, which shall not be greater than the cash (sale) or exchange (trade-in) bid that the reporting agency has received for the specific ADPE, shall be shown on the SF 120. If there is any change to a cash or exchange bid subsequent to the submission of an SF 120, a revised SF 120 indicating the new cash or exchange bid shall be promptly submitted to GSA. Agencies will be advised promptly, in writing, of the date the original or revised SF 120 is received by GSA. Such equipment shall not be sold or exchanged prior to written authorization from GSA. The following statement shall be inserted on the SF 120 for exchange/sale property:

A written administrative determination has been or will be made to apply the exchange allowance or proceeds of sale to the acquisition of similar items by other than lease.

* * * * *

Subpart 101–32.49—Illustration of Forms

Sections 101–32.4901–120 (a) and (b) and 101–32.4901–122 are amended to change the GSA correspondence symbol from CDE to CDP.

NOTE.—The forms illustrated in §§ 101–32.4901–120 (a) and (b) and 101–32.4901–122 are filed as part of the original document.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486 (c)).

Effective date. This regulation is effective on October 22, 1975.

Dated: October 10, 1075.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.75-28374 Filed 10-21-75;8:45 am]

[FPMR Amendment G-34]

PART 101–39—INTERAGENCY MOTOR VEHICLE POOLS

PART 101–40—TRANSPORTATION AND TRAFFIC MANAGEMENT

Organizational Titles and Codes and References to Regulations

The regulations in Part 101–39, Interagency Motor Vehicle Pools, and Part 101–40, Transportation and Traffic Management, are changed to update organizational titles and codes and references to other GSA regulations.

Section 101–39.503–6 is revised and the introductory text of § 101–39.503–7 is revised as follows:

§ 101–39.503–6 Supplies of GSA Form 1313.

Agencies may obtain supplies of GSA Form 1313 from the Motor Equipment Services Division of the appropriate GSA regional office.

§ 101–39.503–7 Lost or stolen GSA Form 1313.

In the event a GSA Form 1313 is lost or stolen, the agency issuing the form shall immediately notify the Motor Equipment Services Division of the GSA regional office from which the form was obtained. The notification shall contain:

* * * * *

Sections 101–39.702(b) and 101–39.706 are revised as follows:

§ 101–39.702 Storage.

* * * * *

(b) Whenever interagency motor pool vehicles are stored at other than a designated storage point of an interagency motor pool, the storage cost is the responsibility of the using agency. Prior to the procurement of other than temporary parking accommodations in urban centers (see § 101–18.102), agencies shall determine the availability of Government-owned or -controlled parking space in accordance with the provisions of § 101–17.101–6.

§ 101–39.706 Modification or installation of accessory equipment.

The modification of an interagency motor pool vehicle or the installation of accessory equipment on such a vehicle can be accomplished only when approved by GSA. The request for such modification and installation shall be forwarded to the Motor Equipment Services Division of the appropriate GSA regional office for consideration.

Sections 101–40.101, 101–40.109–2(b), and 101–40.111a) are revised and the introductory text of § 101–40.102 is revised as follows:

§ 101–40.101 Transportation assistance.

Executive agencies without transportation offices or those in need of assistance on transportation matters shall obtain assistance from the GSA Transportation Services Division at the appropriate GSA regional office, except that agencies located in the Washington, D.C. metropolitan area shall obtain such assistance from the General Services Administration (FZ), Washington, DC 20406.

§ 101–40.102 Representation before regulatory bodies.

GSA, in behalf of executive agencies, will, as it deems appropriate, institute formal or informal action, with respect to tariff, rate, or service matters, before Federal and State regulatory bodies. Executive agencies shall submit their requests and recommendations for action before Federal and State regulatory bodies to the General Services Administration (FZ), Washington, DC 20406, or the Transportation Services Division at the appropriate GSA regional office. Agency requests for GSA representation shall be accompanied by detailed supporting data including, where appropriate, such items as the following:

* * * * *

§ 101–40.109–2 Office relocation contracts.

* * * * *

(b) For office relocations in cities where term moving contracts are not available, agencies may obtain their own moving contracts either by formal advertising or by negotiation (41 CFR 1–7.7 and 1–19.7), as appropriate. Agencies may also obtain their own moving contracts for office relocations costing more than $2,500 in cities where term moving contracts are available. Alternatively, upon request of an agency, GSA will enter into a separate moving contract to meet that agency's requirements. However, relocation of offices occupying space which has been assigned by GSA requires prior approval by the Public Buildings Service, GSA, in accordance with the provisions of Subpart 101–17.1, Assignment of Space, and Subpart 101–17.2, Utilization of Space.

* * * * *

§ 101–40.111 Maintenance of tariff files.

(a) The General Services Administration Region 3, Federal Supply Service, Washington, D.C., will maintain the master file of carrier tariffs for all modes of transportation. The other GSA regional offices will maintain tariff files sufficient to meet the normal requirements of the agencies located in their regional areas.

* * * * *

Sections 101–40.301, 101–40.305–2, 101–40.305–3(a), 101–40.305–5, 101–40.306–3 and 101–40.307 are revised as follows:

§ 101–40.301 Rate and routing services.

Upon request, GSA will provide rate and route information and related traffic data to any executive agency. (See § 101–40.101.) Requests for information may be submitted to GSA by means of GSA Form 420, Request for Traffic Data. (See § 101–40.4906–1.) Urgent requests may be made by whatever method is necessary to expedite the request. The data will be furnished by similar means and confirmed by transmittal of a GSA Form 420.

§ 101–40.305–2 Rate analysis required on substantial movements.

When the volume of tonnage to be moved exceeds the limitations imposed by § 101–40.305–3, agencies shall submit to the General Services Administration (FZ), Washington, D.C. 20406, or the Transportation Services Division at the appropriate GSA regional office, complete details of prospective movements for rate analysis to determine whether negotiations shall be initiated. Such data shall be submitted as far in advance of the prospective shipping date as circumstances will permit and shall include all pertinent shipping information, such as the complete description of the com-

modity, packaging, volume, origin, destination, and prospective shipping schedule. (See § 1-19.201.)

§ 101-40.305-3 Negotiation by other executive agencies.

(a) Executive agencies other than GSA are authorized to initiate and conduct negotiations for freight rates and services only when the quantity of property involved is 100 short tons or less. Agencies may be granted authority to conduct negotiations on larger volumes of traffic when it is considered in the best interests of the Government. Requests for such additional authority should be directed to the General Services Administration (FZ), Washington, D.C. 20406, or the Transportation Services Division at the appropriate GSA regional office.

* * * * *

§ 101-40.305-5 Reports of agency negotiations.

Executive agencies shall submit promptly to the General Services Administration (FZ), Washington, DC 20406, or the Transportation Services Division at the appropriate GSA regional office, a complete report of each negotiation after the negotiation is completed. The report shall refer to this § 101-40.305-5 and shall cite the name of the carrier or bureau with which the negotiation was conducted and any tariff change, or shall include a copy of any contract or rate tender resulting from the negotiation. The report shall set forth the quantity and description of the tonnage involved, origin, destination, old and new rates, and other pertinent information. The reports required by this section are exempt from reports control in accordance with § 101-11.1102-1 (b).

§ 101-40.306-3 Distribution.

Six copies (including at least one signed copy) of each rate tender shall be submitted promptly by the agency receiving it to the General Services Administration (FZ), Washington, DC 20406, or the Transportation Services Division at the appropriate GSA regional office; and six copies (including at least one signed copy) shall be submitted promptly to the General Accounting Office, Transportation and Claims Division, Washington, DC 20548.

§ 101-40.307 Tonnage reports.

Each executive agency shall furnish to Each executive agency shall furnish to the General Services Administration (FZ), Washington, DC 20406, monthly reports of outbound shipments on which freight charges are to be paid or allowed by a Government agency, in accordance with the provisions of this § 101-40.307. The monthly reports required by this section are exempt from reports control in accordance with § 101-11.1102-1(b).

Section 101-40.702-3(b) is revised as follows:

§ 101-40.702-3 Preparation of a discrepancy report.

* * * * *

(b) When theft or loss occurs in a shipment of narcotics or related substances, a copy of the discrepancy report shall be forwarded to the nearest regional office of the Drug Enforcement Administration, Department of Justice (21 CFR 301.74(c)).

* * * * *

§ 101-40.4906-1 [Amended]

Section 101-40.4906-1 is amended to illustrate the August 1972 edition of GSA Form 420, Request for Traffic Data.

NOTE.—The form illustrated in § 101-40.4906-1 is filed as part of the original document.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective October 22, 1975.

Dated: October 9, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.75-28375 Filed 10-21-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20480]

PART 73—RADIO BROADCAST SERVICES

FM Table of Assignments

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (*St. Helena/Santa Rosa, California;* Kalkaska, Michigan; Newberry, Michigan; *Tarkio-Rock Port, Missouri; Surfside Beach, South Carolina; Trenton, Tennessee.*), Docket No. 20480, *RM-2515, RM-2516,* RM-2519, *RM-2525,* RM-2513, *RM-2526.*

1. The Commission has before it the *Notice of Proposed Rule Making* adopted May 9, 1975 (40 FR 22002), inviting comments on a number of changes in the FM Table of Assignments (Section 73.202(b) of the Rules). All comments and data filed in response to the *Notice* were considered in making the following determinations. There were no opposing comments. Population figures were taken from the 1970 U.S. Census. The following decision disposes of all subject petitions except RM-2513 (Newberry, Michigan) and RM-2519 (Kalkaska, Michigan) which will be taken up at a later date.

2. The pertinent proposals and petitioners were:

RM-2515 Substitute Channel 269A for 257A in Santa Rosa, California, and 257A for 269A at St. Helena, California. (Young Radio, Inc.)
RM-2516 Channel 228A to Tarkio, Missouri. (Ashdown Broadcasters, Inc.)
RM-2525 Channel 276A to Surfside Beach, South Carolina. (Theodore J. Gray)
RM-2526 Channel 249A to Trenton, Tennessee[1] (Trentone, Incorporated).

In all except one of the above cases (St. Helena/Santa Rosa, California (RM-2515), which will be discussed below, interested parties seek the assignment of a first FM channel (Class A) to a community without requiring any other changes in the FM Table of Assignments, and each assignment can be made in conformance with the Commission's minimum mileage separation rule. Each petitioner stated its intention to apply for the channel, if assigned, and to build a station, if authorized. In the *Notice of Proposed Rule Making* in this proceeding we set out economic and other information pertaining to the need for a first FM assignment in each of the communities. We shall, therefore, not repeat it here. The communities range in size from 1,329 persons for Surfside Beach, South Carolina, to 4,226 persons for Trenton, Tennessee. Neither Tarkio, Missouri, Surfside Beach, South Carolina nor Trenton, Tennessee, have local broadcast facilities. None of the communities is a part of an urbanized area (1970 U.S. Census) and each appears to warrant the proposed assignment. We are of the view that adoption of each proposal would serve the public interest.

3. *St. Helena/Santa Rosa, California (RM-2515).* Young Radio, Inc., permittee of Station KVYN(FM) (Channel 269A, St. Helena, California), requests an exchange of its channel assignment at St. Helena with that of Santa Rosa. Petitioner alleges that the change will provide a means by which to significantly improve the coverage for its service area in Napa Valley. Its engineering data show that the channel exchange will not adversely affect the Santa Rosa facility, KVRE-FM (Channel 257A). A letter from the President of KVRE, Inc., states that the corporation has no objections to the exchange and that petitioner has agreed to reimburse KVRE-FM for the reasonable costs incurred in the changeover of channels.

4. Authority for the adoption of the amendments contained herein appears in Sections 4(i), 5(d)(1), 303 and 307 (b) of the Communications Act of 1934, as amended, and Section 0.281(b)(6) of the Commission's Rules.

5. In view of the foregoing, *it is ordered,* That effective November 28, 1975, Section 73.202(b) of the Commission's Rules, the FM Table of Assignments, is amended to read as follows:

City	*Channel No.*
California	
Santa Rosa	269A
St. Helena	257A
Missouri	
Tarkio	228A
South Carolina	
Surfside Beach	276A
Tennessee	
Trenton	249A

6. *It is further ordered,* That the outstanding construction permit held by Young Radio, Inc. for Station KVYN (FM), St. Helena, California, is modified to specify operation on Channel 257A instead of Channel 269A. The permittee shall inform the Commission in writing no later than November 28, 1975, of its acceptance of this modification. Station

[1] In order to meet the minimum spacing requirements of our rules, a site 1 mile northeast of Trenton would be required.